

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SIXTEENTH LEGISLATIVE DAY  
TUESDAY, JANUARY 27, 2015

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent – Wills. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Shae Davids, Page.

### 3RD ORDER

#### Approval of Journal

January 27, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifteenth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### 5TH ORDER

#### Report of Standing Committees

January 27, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HJM 1](#).

WILLS, Chairman

[HJM 1](#) was referred to the State Affairs Committee.

January 26, 2015

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 14](#) and [H 15](#) and recommend that they do pass.

PALMER, Chairman

[H 14](#) and [H 15](#) were filed for second reading.

January 27, 2015

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 10](#), [H 11](#), [H 12](#), and [H 13](#) and recommend that they do pass.

COLLINS, Chairman

[H 10](#), [H 11](#), [H 12](#), and [H 13](#) were filed for second reading.

January 27, 2015

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, return misdirected [H 34](#) to the Desk.

COLLINS, Chairman

[H 34](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### 8TH ORDER

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 41

##### BY APPROPRIATIONS COMMITTEE

##### AN ACT

REDUCING THE APPROPRIATION TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2015; APPROPRIATING ADDITIONAL MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 42

##### BY TRANSPORTATION AND DEFENSE COMMITTEE

##### AN ACT

RELATING TO FUELS TAX; AMENDING SECTION 63-2410, IDAHO CODE, TO REVISE PROVISIONS RELATING TO GASOLINE TAX REFUND PROCEDURES AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 43

##### BY TRANSPORTATION AND DEFENSE COMMITTEE

##### AN ACT

RELATING TO FUELS TAX; AMENDING SECTION 63-2401, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 63-2402, IDAHO CODE, TO REMOVE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 63-2411, IDAHO CODE, RELATING TO PURCHASE OF MOTOR FUEL BY RETAIL DEALERS; AMENDING SECTION 63-2425, IDAHO CODE, TO CLARIFY PROVISIONS RELATING TO THE PROHIBITION OF DYED OR MARKED DIESEL FUEL USE ON STATE HIGHWAYS, TO REMOVE PENALTY PROVISIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-2427A, IDAHO CODE, TO RENAME A CERTAIN LICENSE, TO REVISE AND PROVIDE ADDITIONAL REQUIREMENTS RELATING TO THE LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-2427B, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 63-2427C, IDAHO CODE, TO PROVIDE FOR A LIMITED DISTRIBUTOR LICENSE AND RELATED REQUIREMENTS AND TO REMOVE REVOCATION AND SUSPENSION PROVISIONS; AMENDING SECTION 63-2428, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; REPEALING SECTION 63-2430, IDAHO CODE, RELATING TO REVOCATION OR CANCELLATION OF LICENSE; REPEALING SECTION 63-2433, IDAHO CODE, RELATING TO DOING BUSINESS WITHOUT A LICENSE AND PENALTIES; REPEALING SECTION 63-2441, IDAHO CODE, RELATING TO PENALTIES; REPEALING SECTION 63-2443, IDAHO CODE, RELATING TO VIOLATIONS AND PENALTIES; AMENDING CHAPTER 24, TITLE 63,

IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2450, IDAHO CODE, TO PROVIDE FOR VIOLATIONS IN GENERAL; AMENDING CHAPTER 24, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2455, IDAHO CODE, TO PROVIDE FOR SPECIFIC VIOLATIONS; AMENDING CHAPTER 24, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2460, IDAHO CODE, TO PROVIDE FOR PENALTIES; AMENDING CHAPTER 24, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2470, IDAHO CODE, TO PROVIDE FOR ENFORCEMENT OF LICENSING PROVISIONS; AND AMENDING SECTION 40-510, IDAHO CODE, TO REMOVE CODE REFERENCES AND TO PROVIDE A CHAPTER REFERENCE.

#### **HOUSE BILL NO. 44**

##### **BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT**

RELATING TO LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420N, IDAHO CODE, TO PROVIDE FOR ROCKY MOUNTAIN ELK FOUNDATION PLATES.

#### **HOUSE BILL NO. 45**

##### **BY REVENUE AND TAXATION COMMITTEE AN ACT**

RELATING TO INCOME TAX CREDITS FOR CHARITABLE CONTRIBUTIONS; AMENDING SECTION 63-3029A, IDAHO CODE, TO REMOVE A REFERENCE TO THE STATE BOARD OF EDUCATION AND TO REVISE A DEFINITION; REPEALING SECTION 3, CHAPTER 354, LAWS OF 2010, RELATING TO THE REPEAL OF A CERTAIN CODE SECTION; REPEALING SECTION 63-3029A, IDAHO CODE, AS ENACTED BY SECTION 4, CHAPTER 354, LAWS OF 2010, RELATING TO INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS AND LIMITATIONS; AND AMENDING SECTION 5, CHAPTER 354, LAWS OF 2010, TO REMOVE AN EFFECTIVE DATE.

#### **HOUSE BILL NO. 46**

##### **BY HEALTH AND WELFARE COMMITTEE AN ACT**

RELATING TO HEALTH BENEFIT PLANS; AMENDING SECTION 41-6103, IDAHO CODE, TO DEFINE A TERM AND TO MAKE A TECHNICAL CORRECTION.

[H 41](#), [H 42](#), [H 43](#), [H 44](#), [H 45](#), and [H 46](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

#### **10TH ORDER**

##### **Second Reading of Bills and Joint Resolutions**

[H 40](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[H 27](#), [H 28](#), and [H 29](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

#### **11TH ORDER**

##### **Third Reading of Bills and Joint Resolutions**

##### **[H 26](#) - APPROPRIATIONS - DEFICIENCY WARRANTS**

[H 26](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Malek to open debate.

The question being, "Shall [H 26](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wintrow, Wood, Youngblood, Mr. Speaker.  
Total – 68.

NAYS – Barbieri. Total – 1.

Absent – Wills. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 26](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Thirteenth Order of Business.

#### **13TH ORDER**

##### **Miscellaneous and Unfinished Business**

##### **Ethics Committee**

Pursuant to House Rule 76, Representatives Collins, Andrus, Luker, Smith, and Gannon have been elected by their respective caucuses to serve as members on the House Ethics Committee. Speaker Bedke has appointed Representative Collins as chairman. Representative Bell and Representative Raybould have been elected by the majority caucus as first and second alternates. Representative Kloc has been elected by the minority caucus as an alternate.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### **16TH ORDER**

##### **Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Wednesday, January 28, 2015. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:49 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk